

AMENDED IN ASSEMBLY MARCH 27, 2017

CALIFORNIA LEGISLATURE—2017–18 REGULAR SESSION

**ASSEMBLY BILL**

**No. 505**

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**Introduced by Assembly Member Caballero**

February 13, 2017

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An act to add Section 2227.1 to the Business and Professions Code, relating to healing arts.

LEGISLATIVE COUNSEL’S DIGEST

AB 505, as amended, Caballero. Physicians and surgeons: probation.

Under existing law, a physician and surgeon whose matter has been heard by an administrative law judge, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the Medical Board of California, is authorized to be subject to, among other things, license revocation, suspension, or probation, as specified. Existing law authorizes the board to discipline a licensee by placing him or her on probation subject to specified conditions.

This bill would prohibit the board from entering into any stipulation for disciplinary action, ~~including placing~~ *action if the stipulation places* a licensee on ~~probation, if probation and~~ the operative accusation includes specified acts.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2227.1 is added to the Business and
- 2 Professions Code, to read:

1     2227.1. Notwithstanding Sections 2227 and 2228, the board  
2     may not enter into any stipulation for disciplinary ~~action, which~~  
3     ~~includes placing~~ *action if the stipulation places* a licensee on  
4     ~~probation, if probation and~~ the operative accusation includes any  
5     of the following:  
6     (a) Felony conviction involving harm to patient safety or health.  
7     (b) Drug or alcohol abuse directly resulting in harm to patient  
8     safety or health.  
9     (c) Sexual act or sexual exploitation as defined in Section 726  
10    and subdivision (a) of Section 729.